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From: Norris McLaughlin & Marcus

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T-674 P.003/006 F-578

Beiersdorf 688/100718-275  
6713-Dr. Wi-ka

IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

APPLICANTS: V. Schreiner et al.  
SERIAL NO. : 09/701,710  
FILED : December 1, 2000  
FOR : COSMETIC OR DERMATOLOGIC PREPARATIONS  
CONTAINING CATECHINS OR GREEN TEA EXTRACT  
ART UNIT : 1619  
EXAMINER : Alysia Berman

April 18, 2002

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

Ms. Berman:

Enclosed is a copy of our Response to the Office Action dated 20 December 2001, which was originally filed with your office on March 8, 2002 and copy of the Notice of Non-Compliant Amendment. Also, please be advised that our original submission contained page 12.

Please make the above-mentioned correction at your earliest convenience.

Respectfully Submitted,

NORRIS McLAUGHLIN & MARCUS

By: Howard C. Lee  
Howard C. Lee  
Reg. No. 48,104

HCL/vif  
Enclosures

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HKO  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 3-18-02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☒ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: Page 12 is missing from amt

(LIB: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Vicki Park  
Legal Instruments Examiner (LIE)

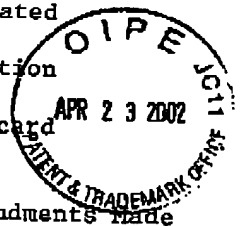
(Rev. 12/01)

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AB

CASE # Beiersdorf 688/100718-275 Serial No. 09/701,710  
6713-Dr. Wi-ka  
DATE MAILED: April 18, 2002 .DATE DUE:

The stamp of the Patent Office hereon may be taken as  
acknowledgement of receipt, on the date stamped, of the  
following:

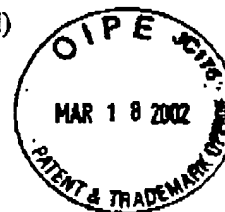
1. Letter to Examiner, Alysia Berman, in response  
to Notice of Non-Compliant Amendment dated  
March 29, 2002
2. Copy of original Response to Office Action  
dated December 20, 2001, including:
  - copy of stamped return receipt postcard
  - copy of Transmittal Letter
  - copy of Amendment (pp. 1-10)
  - copy of Copy of Claims Showing Amendments Made  
(pp. 11-13)
3. copy of Office communication including  
Notice of Non-Compliant Amendment



**CASE # 100718/275/Beiersdorf 688-HCL SERIAL NO.: 09/701,710**  
**DATE MAILED: March 8, 2002 DATE DUE: March 20, 2002**

The stamp of the Patent Office hereon may be taken as acknowledgment of receipt, on the date stamped, of the following:

1. Transmittal Form
2. Amendment Under 37 CFR §1.111
  - a. Copy of Claims Showing Amendments Made
  - b. Copy of Postcard dated December 1, 2000 showing receipt of IDS
  - c. Copy of the PTO 1449 previously submitted
  - d. Copy of three references (previously submitted)



## FACSIMILE COVER SHEET

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**Date:** 26 July 2002

**To:** Examiner Alysia Berman  
US Patent and Trademark Office  
Tel. 703-308-4638  
Fax: 703-746-4977

**Subject:** USSN 09/701,710  
Our Ref.: Beiersdorf 688

**From:** Howard C. Lee

**Comments:** attached are copies of the documents you requested.

If you have any questions or need further information, please contact us.

You should receive 6 pages including this cover sheet.

The information contained in this facsimile message is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately at the number above and discard the original message.